

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHINONYEREM OSUAGWU,

Plaintiff,

v.

11-cv-0001 MV/SMV

**GILA REG'L MED. CTR.;
JEAN REMILLARD, M.D.;
GREGORY KOURY, M.D.;
MICHAEL SARGENT, M.D.;
MARK DONNELL, M.D.;
RONALD DEHYLE, M.D.; and
DON WHITE, M.D.,**

Defendants.

ORDER GRANTING MOTION TO RE-OPEN DISCOVERY FOR LIMITED PURPOSE

THIS MATTER is before the Court on Plaintiff's Opposed Motion to Re-Open Discovery for the Limited Purpose of Subpoenaing Plaintiff's Credentialing File from Lovelace Healthcare and to Depose Lovelace's Credentialing Supervisor [Doc. 247], filed July 22, 2013. The Court does not need further briefing to decide the matter. This case has been pending for over 2 ½ years; a settlement conference is set for August 9, 2013; and trial is set for September 16, 2013, so time is of the essence. The Court concludes that Plaintiff has shown good cause to re-open discovery for the limited purpose described in his motion, and that his request is not unduly burdensome or prejudicial to the Defendants. *See Smith Contracting Corp. v. Trojan Const. Co., Inc.*, 192 F.2d 234, 236 (10th Cir. 1951); *Sil-Flo, Inc. v. SFHC, Inc.*, 917 F.2d 1507, 1519 (10th Cir. 1990).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Opposed Motion to Re-Open Discovery for the Limited Purpose of Subpoenaing Plaintiff's

Credentialing File from Lovelace Healthcare and to Depose Lovelace's Credentialing Supervisor [Doc. 247] is **GRANTED**. Discovery is reopened for the limited purpose of subpoenaing Plaintiff's credentialing file with Lovelace Healthcare and to depose its Credentialing Supervisor Terri Felton.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge